

PROPOSITION ____
[HCR 2007 (2018)]

clean elections; unlawful contributions; rulemaking

ANALYSIS BY LEGISLATIVE COUNCIL

1 Proposition ____ would make the following changes to the Citizens Clean Elections Act (the
2 voluntary system of public funding of election campaigns for candidates for statewide and state legislative
3 offices):

4 1. A participating candidate would be prohibited from making a direct or indirect payment from
5 the candidate's campaign account to:

6 a. A political party.

7 b. A private tax-exempt organization that is eligible to engage in activities to influence the
8 outcome of a candidate election.

9 2. The Citizens Clean Elections Commission would be required to follow the rulemaking
10 requirements of the administrative procedures act (title 41, chapter 6, article 3) to adopt the rules for
11 carrying out the Citizens Clean Elections Act, except as otherwise provided by law. Under current law,
12 the Commission is exempt from the rulemaking requirements of the administrative procedures act but is
13 required to propose and adopt rules in a public meeting after giving public notice and the opportunity for
14 public comment. The administrative procedures act generally requires public notice, an opportunity for
15 public comment and approval from the Governor's Regulatory Review Council (whose duty is to review
16 and approve or reject proposed rules) or the Attorney General before a proposed rule becomes final.
17 Under current law, Commission rules are not subject to approval from the Governor's Regulatory Review
18 Council or Attorney General.